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Attorneys for Defendants Life Care
Centers of America, Inc. and Kennewick
Medical Investors LLC, d/b/a Life Care
Center of Kennewick

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ESTATE OF MARGARETTE E.
ECKSTEIN, by and through its
Personal Representative, PATRICIA K.
LUCKEY,

Plaintiff,

v.

LIFECARE CENTERS OF
AMERICA, INC., a Tennessee
corporation; LIFE CARE CENTER OF
KENNEWICK, a Washington Nursing
Home; KENNEWICK MEDICAL
INVESTORS, LLC, a Delaware
corporation; JOHN DOES 1-10
inclusively, jointly and severally liable,

Defendants.

NO.

DECLARATION OF CARIN A.
MARNEY IN SUPPORT OF
REMOVAL

I, CARIN A. MARNEY, do hereby declare:

1. I am one of the attorneys of record for Defendants Life Care
Centers of America, Inc., and Kennewick Medical Investors, LLC d/b/a Life
Care Center of Kennewick, (collectively referred to herein as "Defendants") in

DECLARATION OF CARIN A. MARNEY IN SUPPORT
OF REMOVAL - 1

1 the above-referenced action. I make this declaration based upon my personal
2 knowledge.

3
4 2. Defendant Life Care Centers of America, Inc. is a Tennessee
5 corporation with its principal place of business in Tennessee. Attached hereto as
6 Exhibit A is a true and correct copy of Defendant Life Care Centers of America,
7 Inc.'s registration information maintained on the Washington Secretary of State
8 website, <http://www.secstate.wa.gov>.
9

10 3. Defendant Kennewick Medical Investors, LLC is a Delaware
11 limited liability company with its principal place of business in Tennessee.
12 Attached hereto as Exhibit B is a true and correct copy of Kennewick Medical
13 Investors, LLC's registration information maintained on the Washington
14 Secretary of State website, <http://www.secstate.wa.gov>.
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17 4. Life Care Center of Kennewick, named separately by Plaintiff as a
18 defendant, is not, in fact, a separate legal entity but is rather only a d/b/a for
19 Defendant Kennewick Medical Investors, LLC.
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21 5. This is a case in which Plaintiff alleges Neglect of a Vulnerable
22 Adult, Corporate Negligence, and Wrongful Death. I reasonably believe the
23 amount in controversy to exceed \$75,000. Plaintiff is also seeking attorneys'
24 fees and costs.
25
26

DECLARATION OF CARIN A. MARNEY IN SUPPORT
OF REMOVAL - 2

119707.0016/1687582.1

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1 6. Because Plaintiff is a citizen of Washington, and Defendants are
2 citizens of Tennessee and Delaware, and because Plaintiff is claiming damages
3 in excess of \$75,000, exclusive of interest and costs, this Court has original
4 jurisdiction over the subject matter of Plaintiff's Complaint pursuant to 28
5 U.S.C. § 1332(a), and, in turn, removal is appropriate pursuant to 28 U.S.C
6 1441.

7
8 The foregoing statement is made under penalty of perjury under the laws
9 of the United States of America and the State of Washington and is true and
10 correct.

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12 SIGNED at Seattle, Washington this 20th day of March 2009.

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15 /s/ Carin A. Marney
CARIN A. MARNEY

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DECLARATION OF CARIN A. MARNEY IN SUPPORT
OF REMOVAL - 3

CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2009, I caused to be served a copy of the foregoing **DECLARATION OF CARIN A. MARNEY IN SUPPORT OF REMOVAL TO FEDERAL COURT** on the following person in the manner indicated below at the following address:

Mr. Jeff B. Crollard
Crollard Kahn PC
200 - 2nd Avenue W
Seattle, WA 98118-4204

☐ by CM/ECF
☐ by Electronic Mail
☐ by Facsimile Transmission
☐ by First Class Mail
☒ by Hand Delivery
☐ by Overnight Delivery


Patricia King

DECLARATION OF CARIN A. MARNEY IN SUPPORT
OF REMOVAL - 4

119707.0016/1687582.1

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Corporations: Registration Detail

Corporations Division - Registration Data Search

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LIFE CARE CENTERS OF AMERICA, INC.

UBI Number	600487886
Category	REG
Profit/Nonprofit	Profit
Active/Inactive	Active
State Of Incorporation	TN
Date of Incorporation	11/14/1977
Expiration Date	11/30/2009
Dissolution Date	
Registered Agent Information	
Agent Name	C T CORPORATION SYSTEM
Address	1801 WEST BAY DR NW STE 206
City	OLYMPIA
State	WA
ZIP	98502
Special Address Information	
Address	
City	

EXHIBIT A

State

Zip

Governing Persons

Title	Name	Address
Treasurer	HENRY , TERRY	CLEVELAND , TN
Chairman	PRESTON , FORREST	CLEVELAND , TN
Treasurer	ZIEGLER , J	OOLTEWAH , TN
Vice President	CLAYTON , ANGELENA	CLEVELAND , TN
Secretary	THURMOND , JOAN	CLEVELAND , TN

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KENNEWICK MEDICAL INVESTORS, LLC

UBI Number	602511144
Category	LLC
Profit/Nonprofit	Profit
Active/Inactive	Active
State Of Incorporation	DE
Date of Incorporation	06/10/2005
Expiration Date	06/30/2009
Dissolution Date	
Registered Agent Information	
Agent Name	C T CORPORATION SYSTEM
Address	1801 WEST BAY DR NW STE 206
City	OLYMPIA
State	WA
ZIP	98502
Special Address Information	
Address	
City	

EXHIBIT B

State

Zip

Governing Persons

Title	Name	Address
Member	LIFE CARE CENTERS OF AMERICA , INC	CLEVELAND , TN

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